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Chairman: Mr. Mochochoko ..... (Lesotho)

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The meeting was called to order at 11.05 a.m.

Agenda item 160: Measures to eliminate international terrorism (*continued*) (A/C.6/54/L.15/Rev.1)

1. **Mr. Holmes** (Canada), speaking as the coordinator for draft resolution A/C.6/54/L.15/Rev.1, said that the previous week's informal consultations on the draft on measures to eliminate international terrorism had been very productive. With the exception of one preambular paragraph, complete agreement had been reached on the text. He regretted that a consensus had not yet been reached, as the Committee had always managed to reach a consensus on resolutions in the past.

2. He drew attention to some minor drafting changes, and noted that the principal change in the text, compared to the previous year's resolution, was in the new wording "shall include efforts to continue to elaborate a draft international instrument" in paragraphs 12 and 13.

3. As the coordinator of the informal consultations, he made one last plea for delegations to adopt the resolution without a vote.

4. **Mr. Obeid** (Syrian Arab Republic) said that he could not join a consensus on the draft resolution as the text did not meet some significant concerns of his delegation. He therefore requested that the Committee should proceed to a vote.

5. **Mr. Diab** (Lebanon) said that it was regrettable that an explicit reference in the draft before the Committee to General Assembly resolution 46/51 should be rejected.

6. His delegation strongly condemned terrorism in all its forms, manifestations and practices, and endorsed the international efforts undertaken by the United Nations to elaborate resolutions and laws to protect international peace and security and to combat terrorism. Moreover, his country shared the view of many other Member States that there should be a clear definition of terrorism, to distinguish terrorist acts of violence against civilians for political, racial or religious motives from military acts against armed occupying forces. It was the legitimate right of a people to struggle to restore their liberty, sovereignty and independence.

7. He endorsed the idea of convening a high-level international conference on terrorism under the auspices of the United Nations, welcomed the draft on the suppression of acts of terrorism, and looked forward to the preparation of a comprehensive convention against international terrorism.

8. He reaffirmed his country's right to combat the Israeli occupation in southern Lebanon and the West Bank and recalled the massacres of civilians committed by the Israeli army there.

9. As Lebanon's concerns had not been taken into account in the text of the draft resolution, he regretted to have to ask for a vote to be taken.

10. At the request of the representatives of the Syrian Arab Republic and Lebanon, a recorded vote was taken on draft resolution A/C.6/54/L.15/Rev.1, as orally amended.

In favour:

Algeria, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Belarus, Belgium, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Cambodia, Cameroon, Canada, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Finland, France, Georgia, Germany, Greece, Guinea, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mexico, Monaco, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Rwanda, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Thailand, The former Yugoslav Republic of Macedonia, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Viet Nam, Zambia, Zimbabwe.

Against:

None.

Abstaining:

Benin, Lebanon, Syrian Arab Republic.

11. Draft resolution A/C.6/54/L.15/Rev.1, as orally amended, was adopted by 116 votes to none, with 3 abstentions.*

12. **Mr. Obeid** (Syrian Arab Republic) said that his delegation had abstained in the vote on the draft resolution

* The delegations of Benin, the Congo, Ghana, Togo and Yemen subsequently informed the Committee that they had intended to vote in favour of the draft resolution.

just adopted because the text did not clearly distinguish between terrorism, which was a punishable crime to be condemned in all its forms and manifestations, and legitimate struggle against foreign occupation, which was a guaranteed right. The text could therefore lead to misinterpretations. It also omitted some positive elements that had been included in the past in General Assembly resolutions that had been adopted by consensus.

13. **Mr. Mohamed** (Sudan) said that his delegation had voted in favour of the draft resolution as a matter of principle. His country had always participated in the implementation of resolutions against terrorism, ever since the item had first been included in the agenda of the General Assembly. That body had a very important role in the fight against international terrorism, and success had been achieved by implementing the relevant conventions, declarations and resolutions. In that connection, he was pleased to note that the Russian delegation had indicated at an earlier meeting on the item under consideration that Security Council de isions could not in any way deprive the General Assembly of its rights and privileges.

14. The international community had only recently begun to make a comprehensive stand against the threat of terrorism, and some States would try to be tolerant of certain aspects of terrorism — condemning some acts while overlooking others.

15. His delegation understood the reasons for the position of the Syrian Arab Republic and also Lebanon, which had been devoting all its efforts to freeing its territory from the yoke of colonialism.

16. **Mr. Diab** (Lebanon) said that his delegation had abstained, despite its consistent position that all the manifestations and practices of terrorism were to be vigorously condemned, because the draft resolution lacked a clear definition of terrorism. A distinction had to be drawn between international terrorism pure and simple, on the one hand, and the justified struggle against forces of occupation, on the other. His delegation fully supported effective action against international terrorism, backed up by international cooperation, but the concerns that it had expressed had not been met by the draft resolution.

17. **Mr. Haque** (Pakistan) said that his country had itself been a victim of international terrorism. His delegation therefore condemned the phenomenon in all its forms. It regretted, however, that no compromise had been possible regarding the inclusion in the relevant preambular paragraph of a reference to General Assembly resolution 46/51, the contents of which were still valid and relevant to the current debate. The resolution had called for the convening of a high-level conference and stressed the need for a definition of international terrorism. His delegation trusted that the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996 would make it a priority to proceed to a definition of international terrorism.

18. **Mr. Mirzaee Yengejeh** (Islamic Republic of Iran) said that his delegation had voted in favour of the draft resolution in a spirit of solidarity. The General Assembly had played an important role in the struggle against international terrorism and that trend should continue. In that context, he noted that the second preambular paragraph drew attention to all the relevant resolutions of the General Assembly. His delegation interpreted that to include General Assembly resolution 46/51. He therefore hoped that the Ad Hoc Committee would include it among its terms of reference.

19. **Ms. Alvarez Nuñez** (Cuba) said that in voting for the draft resolution her delegation had reaffirmed the General Assembly's role as the universal body with the power to adopt measures against international terrorism. Condemning all terrorism, including that financed by States, her delegation was in favour of convening a high-level conference in order to elaborate a coordinated response to the threat of international terrorism. Moreover, an essential part of the Ad Hoc Committee's work on elaborating a comprehensive convention on international terrorism should be to frame a definition that distinguished between terrorist acts and a people's right to engage in a struggle for self-determination. Lastly, her delegation understood General Assembly resolution 46/51, whose contents remained valid, to be one of the relevant resolutions referred to in the second preambular paragraph.

20. **Mr. Rosenstock** (United States of America) said that the vote on the draft resolution, which had been passed by an overwhelming majority, reaffirmed that nothing could justify international terrorism. It was important that General Assembly resolution 49/60, which had been a seminal resolution, received due emphasis in the second preambular paragraph, since other resolutions had been misquoted or misinterpreted by some delegations.

21. **Mr. Sergiwa** (Libyan Arab Jamahiriya) said that his delegation regretted that the draft resolution had not been adopted without a vote. Its own vote in favour had been cast on the understanding that the second preambular paragraph included all the relevant resolutions, including General Assembly resolution 46/51. His delegation looked forward to the convening of an international conference that would provide a clear definition of terrorism and recommend action to be taken. In combating international terrorism, the right

of peoples to struggle for self-determination should not be overlooked.

22. **Mr. Mukongo Ngay** (Democratic Republic of the Congo) said that his delegation had consistently stressed the need for a clear definition of international terrorism; otherwise there would always be a divergence of views, as had occurred over the elaboration of the draft international convention for the suppression of acts of nuclear terrorism. It was therefore desirable to convene a high-level conference in 2000 which could provide answers on how to deal with international terrorism. His Government, for example, was firmly abiding by the Lusaka Ceasefire Agreement but was nonetheless being subjected to pure terrorism.

23. **Mr. Ubalijoro** (Rwanda) said that his country had been the victim of international terrorism perpetrated by its eastern neighbour, which had formed the Interahamwe guerrillas responsible for the genocide in 1994. The atrocities continued: in 1998 that neighbouring Government had aided and abetted the killing of Western tourists in the forests of Uganda. His delegation understood the draft resolution to condemn roundly such forms of aggression.

24. **Mr. Ahipeaud** (Côte d'Ivoire) said that the debate on international terrorism, in which his delegation had taken part, had demonstrated the need to find a middle way between overly conservative and overly radical approaches to the codification of international law. It was, in general, a good thing that the search for consensus was increasingly favoured over a confrontational vote, which might humiliate the losers and weaken support for the legal instrument so produced. On the other hand, the search for consensus could sometimes empty international law of all substance, making an instrument obsolete before it ever took effect. Sometimes a new idea was rejected out of hand on the grounds that the old wording enjoyed a consensus. A way must be found for international law to evolve; otherwise it would become petrified. It should be recalled that most international law currently governing relations between States had been codified at a time when the developing countries could not participate. The two camps, those who made international law and those to whom it applied, must merge and become one and the same.

Completion of the Committee's work

25. **Mr. Corell** (Under-Secretary-General, The Legal Counsel) said that the common theme at the plenary meeting of the General Assembly to mark the end of the United Nations Decade of International Law had been a renewed belief in international law and its vital role in maintaining international peace and security, developing friendly relations among States and creating conditions for the full enjoyment of human rights and fundamental freedoms by all. The Secretary-General, too, had a strong commitment to international law.

26. The Committee could justly conclude that down the years its efforts to codify international law and create an international legal order had borne fruit. Remarkable advances had been made under the auspices of the United Nations, not least during the Decade. The adoption of the Rome Statute of the International Criminal Court, in particular, stood out as a landmark in the history of international law.

27. At the same time, the century — and the decennium — had seen unspeakable atrocities and human suffering. He asked why that had been so and whether humankind was doomed to repeat its mistakes.

28. Human beings might be very small in the general scheme of things, but still, in the United Nations, they had come together, their aspirations summed up in the Charter of the United Nations. The international community should cherish its diversity but it should also be grateful for its commitment to international law. It was the responsibility of each individual and of all States and organizations to protect that law, which had the ultimate goal of protecting the human being. In the long run, the only way to deal with those who denied the very existence of that law, or violated it when it suited their interests to do so, was to spread knowledge of the law, its principles and spirit. The task was daunting, but it was the only hope for the future of humanity.

29. **The Chairman**, focusing on specific achievements during the current session, said that the draft international convention for the suppression of terrorist financing had represented an important stage on the step-by-step approach adopted by the international community. In the years to come, further efforts would be made to defeat international terrorism until the task was complete.

30. After an exchange of courtesies, in which **Ms. Ramoutar** (Trinidad and Tobago), **Mr. Pham Truong Giang** (Viet Nam), **Mr. Rosenstock** (United States of America), **Ms. Raguž** (Croatia) and **Mr. Kerma** (Algeria) spoke on behalf of the regional groups of States, **the Chairman** declared that the Sixth Committee had completed its work for the fifty-fourth session.

The meeting rose at 12.30 p.m.